IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION

DATATREASURY CORP.,	§	No. 2:06CV-165 (DF)
Plaintiff	§	Hon. David J. Folsom
	§	JURY TRIAL DEMANDED
vs.	§	
	§	**DECLARATION OF MARK RACZEK IN SUPPORT OF DEFENDANTS' MOTION TO DISMISS FOR LACK OF PROPER VENUE**
CITY NATIONAL CORPORATION; and CITY NATIONAL BANK,	§	
Defendants.	§	

I, Mark Raczek, declare as follows:

1. I am currently the Vice President, Corporate Premises at City National Bank (the "Bank"). I am responsible for assisting corporate premises management and activities of the Bank and City National Corporation (the "Corporation"). I make this declaration in support of Defendants' Motion to Dismiss for Lack of Proper Venue in the matter of DataTreasury Corp. v. City National Corporation, *et al.*, No. 2:06CV-165 (DF), pending in the United States District Court for the Eastern District of Texas. I have personal knowledge of the facts set forth in this Declaration and, if called as a witness, could and would testify competently to such facts under oath.

2. The Corporation does not have a corporate office, branch office or any other facility in the Eastern District of Texas. The Corporation also does not rent any real estate or maintain a mailing address in the Eastern District of Texas.

3. The Bank is a regional institution. It has about 50 offices in Southern California and the San Francisco Bay area. The Bank also has a single office in New York. The Bank does not have any headquarters, offices, or facilities in the Eastern District of Texas. The Bank does not own or rent any real estate or other tangible property in the

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Eastern District of Texas. The Bank also does not have a mailing address in the Eastern District of Texas.

Executed on 5.31.06, 2006, at 11:52 AM.

I declare under penalty of perjury under the laws of the United States of America that to the best of my knowledge the foregoing is true and correct.

Mark Raczek